



## ***Business and Utility Operations Center (BUOC)***

### ***Business Operations Center (BOC) Utility Operations Center (UOC)***

### ***Administrative Policy***



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## I. INTRODUCTION

The California Emergency Management Agency (Cal EMA) recognizes the need for communication, coordination and cooperation among all emergency management stakeholders in California. The impact of the September 11th terrorist attacks and Hurricane Katrina have underscored the critical need for the organized synchronous exchange of information and resources between public and private sector organizations in mitigating against, preparing for, responding to, and recovering from disaster events. Historically, information and resource sharing activities between the public and private sectors have too often taken place in an ad hoc, isolated, and reactive fashion, resulting in less than optimal assistance to individuals, families, communities, and the economy.

Arnold Schwarzenegger approved legislation (Senate Bill 546), and issued Executive Order S-04-06, giving Cal EMA greater authority to partner with private industry. The “Authorities” Section of this document provides additional information about the statute and directive.

To further support the Governor’s efforts, Cal EMA signed Memorandum of Understandings with private sector and non-profit organizations and created the Business and Utility Operations Center (BUOC) and its two components the Business Operations Center (BOC) and Utility Operations Center (UOC) (see member list below). The BUOC members worked together to develop an operational plan to foster this critical partnership. This plan will assist government and business to communicate, collaborate, and take the actions necessary to mitigate the effects of emergencies in California.

The BUOC members include:

- Bank of America
- California Grocers Association
- California Resiliency Alliance
- California Utilities Emergency Association
- DirectRelief USA
- Home Depot, Inc.
- Lowe’s Companies, Inc.
- S.F. Helicopters, LLC
- Target Corporation
- Wal-Mart Stores, Inc.

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## A. Purpose

The BUOC is intended to provide support to the state and may be requested to serve as an active operational component in the State Operations Center (SOC) or Regional Emergency Operations Center's (REOCs). The SOC and REOC activate under the authority of California's Standardized Emergency Management System (SEMS).

NOTE: In the event the SOC/REOC are not activated, resource and information sharing requests will be coordinated through Cal EMA's Executive Duty Officer.

SEMS was adopted by California in 1993, and provides a clear and consistent organizational structure for agencies involved in responding to emergencies. Under SEMS, each level of government operates an Emergency Operations Center (EOC) which serves as the central coordinating point for communications, resource requests and information sharing among the five levels (field, local, operational area, region and state). At the state level, this is called the REOC and SOC. Often, many different agencies must work together effectively to protect lives, property and the environment during emergencies. SEMS facilitates priority setting, interagency cooperation, and the efficient flow of resources and information.

The development of the BUOC is intended to be a deliberative and iterative process enhanced by training, exercises and events that will build and mature the center over time. The fundamental goal is to continue to enhance the quality and effectiveness of the state's response capabilities.

During an activation and at the direction of Cal EMA's BUOC liaison, it is agreed that all BOC resources will be coordinated through the Logistics Section and UOC resources through the Operations Section. All BUOC members should assist the overall BUOC effort by providing trained and experienced staff to support BUOC activities.

Lastly, the BUOC is not meant to replace resources available from existing vendors on a procurement basis. The BUOC should enhance the activities of government through private sector supplies. The BUOC is intended to identify potential private sector sources for requests that cannot be filled through existing state vendor lists or other authorized sources.

## B. Benefits

The benefits of the BUOC include:

- ***Continuity of community.*** The BUOC will help facilitate "continuity of community" during and following disasters and may include maintenance of critical infrastructure such as transportation, natural gas, power, telecommunications, water, wastewater, and provisions such as food, shelter, and healthcare. This will in turn help businesses maintain their own continuity of operations.

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- ***Enhanced situational awareness.*** The BUOC will provide a greater degree of situational awareness to all appropriate internal and external BUOC stakeholders. Situational awareness plays a key role in supporting informed decision making and avoiding duplication or conflict in efforts by the private sector and government.
- ***Increased information flow.*** The BUOC will provide an increased bi-directional flow of information relating to activities, policies, and other efforts affecting critical community resources. Working side-by-side with government, the business community benefits from regular updates and more direct access to critical information.
- ***Improved private sector support.*** The private sector has significant capability and willingness to provide supplies, services, and assistance to government. Through the BUOC, the private sector can provide this support – on both a commercial and pro bono basis – more efficiently and effectively.
- ***Development of close partnerships.*** Through the BUOC, both the private sector and the government have the opportunity to develop trusted relationships and become true partners in the emergency response and recovery efforts.

### C. Code of Conduct

- ***Expectation of the BUOC representatives.*** Representatives of the BUOC, or their affiliates, will not use the BUOC to promote any organization, institution, product or service, whether charitable or for profit. Nor will the representatives or their affiliates use or share any contact information collected by the BUOC for any purpose other than the accomplishment of the documented goals.
- ***Sensitive/confidential information.*** It is expected that all BUOC representatives not share confidential information issued by Cal EMA or other state agencies that may be available from another BUOC partner. For example, confidential information specific to a power outage, should not be shared outside of the BUOC unless approval is obtained from the California Utilities Emergency Association or is logged in a Cal EMA situation report.
- ***Function.*** The individual(s) who report to the BUOC will be representing a specific BUOC function not their day-to-day company/business. The function of the BUOC is to coordinate private sector resources through the state in order to provide adequate support to local government need(s) during an event.

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## D. Authorities

- Senate Bill 546 (Dutton) – Office of Emergency Services: public-private partnerships. Effective January 1, 2006, SB 546 authorized Cal EMA to share facilities and systems that include private businesses and non-profit organizations in a voluntary program that integrate private sector emergency preparedness measures into governmental disaster planning programs. See Appendix 1 for bill language.
- Assembly Bill 2796 (Nava) – Good Samaritan Liability Protection for Businesses and Non-Profit Organizations. Cal EMA is developing a web registry for businesses and non-profits who desire liability protection if they donate supplies, equipment, trucks, facilities, points of dispensing locations, etc. during a local or state proclaimed emergency. See Appendix 2 for bill language.
- Executive Order S-04-06 – According to Provision 2 of Executive Order S-04-06, the Director of the Governor’s Office of Emergency Services (OES) convenes Emergency Partnership Advisory Workgroup (EPAW) meetings. Pursuant to legislation (AB 38 – Nava), the Secretary of Cal EMA assumes OES authority. EPAW is the policy oversight that is comprised of at least seven non-profit and private sector representatives who are involved in preparing their communities for disasters. See Appendix 3 for Executive Order language.

The Workgroup is securing agreements between affected state agencies, non-profit and private sector resources necessary to respond to threatened or actual emergency situations. Priority focus areas include:

- a) Advise on appropriate agreements to provide for quick access to emergency supplies and services in order to minimize the need to stockpile such supplies during normal times;
- b) Advise on logistic measures needed to quickly deliver needed supplies and services to affected areas;
- c) Advise on methods to utilize non-profit and private sector capabilities to increase the surge capacity of state and local agencies responding to emergencies;
- d) Promote the integration of the non-profit and private sectors into the emergency services system so that people can be better informed and prepared for emergencies; and
- e) Encourage systems that aid business and economic recovery after a disaster.

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## II. DAY-TO-DAY ACTIVITIES

### A. Cal EMA will:

- Distribute its Daily Situation Report to all pre-identified primary BUOC point of contacts (POC).
- At established threshold levels, automatically send information notifications.
- Notify appropriate BUOC POC if private sector support/resources are needed.
- Inform BUOC POC members of training/exercise opportunities.
- When necessary, assist with reimbursement requests.

### B. BOC/UOC members will:

- When requested, provide support to the state. Cal EMA may call upon any BUOC member who is considered a subject matter expert with the BUOC responsibility to staff the SOC/REOC.
- Review Cal EMA's Response Information Management System (RIMS) on a regular basis.
- Attend/participate in appropriate emergency management training/exercises.
- Be familiar with the function of the BUOC.
- Submit proper documentation supporting reimbursement request, if applicable.

In addition to the items mentioned above all partners have the ability to share information, documents, post calendar entries, etc. within the Homeland Security Information Network (HSIN) [www.hsin.gov](http://www.hsin.gov). HSIN provides a secure location to store and share such information. Access to the site will be on an invitational basis at the request of Cal EMA's Operations Unit. To ensure privacy, only BUOC primary points of contacts will have access.

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### III. APPENDICES

#### Appendix 1 – SB 546 (Dutton)

BILL NUMBER: SB 546      CHAPTERED  
BILL TEXT

CHAPTER 232  
FILED WITH SECRETARY OF STATE SEPTEMBER 13, 2005  
APPROVED BY GOVERNOR SEPTEMBER 13, 2005  
PASSED THE ASSEMBLY AUGUST 25, 2005  
PASSED THE SENATE JUNE 1, 2005  
AMENDED IN SENATE MAY 27, 2005

INTRODUCED BY Senator Dutton

FEBRUARY 18, 2005

An act to add Section 8588.1 to the Government Code, relating to emergency services.

#### LEGISLATIVE COUNSEL'S DIGEST

SB 546, Dutton Office of Emergency Services: public-private partnerships.

The California Emergency Services Act sets forth the duties of the Office of Emergency Services in overseeing and coordinating various emergency response programs in the state.

This bill would authorize the office to share facilities and systems that would, among other things, include private businesses and nonprofit organizations in a voluntary program that would integrate private sector emergency preparedness measures into governmental disaster planning programs to the extent that the cost of the program is reimbursed by the private sector.

The bill would create the Disaster Resistant Communities Account in the General Fund and would require that any new activity undertaken by the office under these provisions is contingent upon the receipt of private donations to the account.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 8588.1 is added to the Government Code, to read:

8588.1. (a) The Legislature finds and declares that this state can only truly be prepared for the next disaster if the public and private sector collaborate.

(b) The Office of Emergency Services may, as appropriate, include private businesses and nonprofit organizations within its responsibilities to prepare the state for disasters under this chapter. All participation by businesses and nonprofit associations in this program shall be voluntary.



## **Appendix 1 – SB 546 (Dutton), continued**

(c) The office may do any of the following:

(1) Provide guidance to business and nonprofit organizations representing business interests on how to integrate private sector emergency preparedness measures into governmental disaster planning programs.

(2) Conduct outreach programs to encourage business to work with governments and community associations to better prepare the community and their employees to survive and recover from disasters.

(3) Develop systems so that government, businesses, and employees can exchange information during disasters to protect themselves and their families.

(4) Develop programs so that businesses and government can work cooperatively to advance technology that will protect the public during disasters.

(d) The office may share facilities and systems for the purposes of subdivision (b) with the private sector to the extent the cost for their use are reimbursed by the private sector.

(e) Proprietary information or information protected by state or federal privacy laws, shall not be disclosed under this program.

(f) Notwithstanding Section 11005, donations and private grants may be accepted by the office and shall not be subject to Section 11005.

(g) The Disaster Resistant Communities Account is hereby created in the General Fund. Upon appropriation by the Legislature, the Director of the Office of Emergency Services may expend the money in the account for the costs associated within this section. (h) Any new activity undertaken by the office under this section shall be contingent upon the receipt of donations to the Disaster Resistant Communities Account.

## Appendix 2 – AB 2796 (Nava)

BILL NUMBER: AB 2796    CHAPTERED  
BILL TEXT

CHAPTER    363  
FILED WITH SECRETARY OF STATE    SEPTEMBER 27, 2008  
APPROVED BY GOVERNOR    SEPTEMBER 27, 2008  
PASSED THE SENATE    AUGUST 14, 2008  
PASSED THE ASSEMBLY    AUGUST 18, 2008  
AMENDED IN SENATE    AUGUST 4, 2008  
AMENDED IN SENATE    JULY 2, 2008  
AMENDED IN SENATE    JUNE 11, 2008  
AMENDED IN ASSEMBLY    MAY 6, 2008  
AMENDED IN ASSEMBLY    APRIL 1, 2008

INTRODUCED BY    Assembly Member Nava

FEBRUARY 22, 2008

An act to add Sections 8588.2 and 8657.5 to the Government Code, and to amend Section 1799.100 of the Health and Safety Code, relating to the Office of Emergency Services.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2796, Nava. Office of Emergency Services: statewide registry.

The California Emergency Services Act authorizes the Office of Emergency Services to include private businesses and nonprofit organizations within its responsibilities to prepare the state for emergencies and disasters. The act provides certain registered volunteers and individuals impressed into service during a state of war emergency, a state of emergency, or a local emergency with specified legal immunities. Violation of the provisions of the act is punishable as a misdemeanor. Existing law prohibits certain entities from being held civilly liable for civil damages alleged to have resulted from specified emergency medical services training.

This bill would authorize the office to establish a statewide registry of private businesses and nonprofit organizations that are interested in donating, under certain conditions, services, goods, labor, equipment, resources, or dispensaries or other facilities to prepare the state for emergencies and disasters, and would impose certain duties on these entities in this regard. By making these entities subject to a criminal penalty for violation of the act, this bill would impose a state-mandated local program. This bill would relieve a private business or nonprofit organization included on the statewide registry from civil liability for a death, injury, illness, or other damage to a person or property caused by its donation of services, goods, labor, equipment, resources, or dispensaries or other facilities during a declared state of war, state of emergency, or state of local emergency, except for liability caused by its grossly negligent act or omission, or willful or wanton misconduct. This bill would also prohibit a private business or nonprofit organization included on the statewide registry from being held

## **Appendix 2 – AB 2796 (Nava), continued**

civilly liable for civil damages alleged to have resulted from specified emergency medical services training.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 8588.2 is added to the Government Code, to read:

8588.2. (a) The Office of Emergency Services may establish a statewide registry of private businesses and nonprofit organizations that are interested in donating services, goods, labor, equipment, resources, or dispensaries or other facilities to further the purposes of Section 8588.1.

(b) If the Office of Emergency Services establishes a statewide registry pursuant to subdivision (a), the office shall create and implement protocols and procedures for inclusion onto the statewide registry that do, but are not limited to, all of the following:

(1) Establish eligibility requirements for a private business or nonprofit organization to be included on the statewide registry.

(2) Require the services, goods, labor, equipment, resources, or dispensaries or other facilities donated by a private business or nonprofit organization included on the statewide registry to be provided at no cost to state governmental entities or the victims of emergencies and disasters.

(3) Require the services, goods, labor, equipment, resources, or dispensaries or other facilities donated by a private business or nonprofit organization included on the statewide registry to be safely collected, maintained, and managed.

(4) Require that federal, state, and local governmental entities and nonprofit organizations that are engaged in assisting communities prepare for, respond to, or recover from emergencies and disasters have access to the statewide registry.

(c) A private business or nonprofit organization included on the statewide registry shall reasonably determine all of the following:

(1) Donated services, goods, labor, equipment, resources, or dispensaries or other facilities comply with all applicable federal and state safety laws and licensing requirements.

(2) Donated services, goods, labor, equipment, resources, or dispensaries or other facilities have not been altered, misbranded, or stored under conditions contrary to the standards set forth under federal or state laws or by the product manufacturer.

(3) Donated medicine shall be unopened, in tamper-resistant packaging or modified unit dose containers that meet United States Pharmacopeia standards, and show lot numbers and expiration dates. Medicine that does not meet these standards shall not be donated.

SEC. 2. Section 8657.5 is added to the Government Code, to read:

8657.5. (a) (1) A private business included on the statewide registry pursuant to Section 8588.2 that voluntarily and without expectation and receipt of compensation donates services, goods, labor, equipment, resources, or dispensaries or other facilities, in compliance with Section 8588.2, during a declared state of war, state

## Appendix 2 – AB 2796 (Nava), continued

of emergency, or state of local emergency shall not be civilly liable for a death, injury, illness, or other damage to a person or property caused by the private business's donation of services, goods, labor, equipment, resources, or dispensaries or other facilities.

(2) A private business included on the statewide registry that voluntarily and without expectation and receipt of compensation donates services, goods, labor, equipment, resources, or dispensaries or other facilities, in compliance with Section 8588.2, during an emergency medical services training program conducted by the Office of Emergency Services and a city, a county, or a city and county shall not be civilly liable for damages alleged to have resulted from those training programs, as described in Section 1799.100 of the Health and Safety Code.

(b) (1) A nonprofit organization included on the statewide registry pursuant to Section 8588.2 that voluntarily and without expectation and receipt of compensation from victims of emergencies and disasters donates services, goods, labor, equipment, resources, or dispensaries or other facilities, in compliance with Section 8588.2, during a declared state of war, state of emergency, or state of local emergency shall not be civilly liable for a death, injury, illness, or other damage to a person or property caused by the nonprofit organization's donation of services, goods, labor, equipment, resources, or dispensaries or other facilities.

(2) A nonprofit organization included on the statewide registry that voluntarily and without expectation and receipt of compensation donates services, goods, labor, equipment, resources, or dispensaries or other facilities, in compliance with Section 8588.2, during an emergency medical services training program conducted by the Office of Emergency Services and a city, a county, or a city and county, shall not be civilly liable for damages alleged to have resulted from those training programs, as described in Section 1799.100 of the Health and Safety Code.

(c) A private business or nonprofit organization that discriminates against a victim of an emergency or disaster based on a protected classification under federal or state law shall not be entitled to the protections in subdivision (a) or (b).

(d) This section shall not relieve a private business or nonprofit organization from liability caused by its grossly negligent act or omission, or willful or wanton misconduct.

SEC. 3. Section 1799.100 of the Health and Safety Code is amended to read:

1799.100. In order to encourage local agencies and other organizations to train people in emergency medical services, no local agency, entity of state or local government, private business or nonprofit organization included on the statewide registry that voluntarily and without expectation and receipt of compensation donates services, goods, labor, equipment, resources, or dispensaries or other facilities, in compliance with Section 8588.2 of the Government Code, or other public or private organization which sponsors, authorizes, supports, finances, or supervises the training of people, or certifies those people, excluding physicians and surgeons, registered nurses, and licensed vocational nurses, as defined, in emergency medical services, shall be liable for any civil damages alleged to result from those training programs.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because

## **Appendix 2 – AB 2796 (Nava), continued**

the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

## **Appendix 3 – Executive Order S-04-06**

### **EXECUTIVE ORDER S-04-06**

**by the  
Governor of the State of California**

WHEREAS, California has successfully responded to earthquakes, floods, fires, freezes, outbreaks of infectious disease, droughts, pestilence, civil unrest, mudslides, chemical spills, and the threat of terrorist action, including 19 major disasters between 1989 and 2006 and more than 1,200 proclaimed States of Emergency between 1950 and 2006 affecting every county in the State; and WHEREAS, the state government and many local governments, non-profit organizations, and businesses have already taken proactive steps to prepare for disasters in California; and WHEREAS, California is a recognized leader in emergency management and the federal government has now adopted California's Standardized Emergency Management System as the core of their emergency response system; and WHEREAS, state and local government agencies must continue to strengthen efforts to prepare for catastrophic disasters; and WHEREAS, public-private partnerships are essential to preparing for, responding to, and recovering from disasters; and WHEREAS, more needs to be done to educate Californians about what they can do to be better prepared for the next disaster; and WHEREAS, the efficient mobilization of federal, private sector, and non-profit resources is critical to effectively prepare for, respond to and recover from disasters. NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the powers and authority vested in me by the Constitution and statutes of the State of California do hereby issue this Order to become effective immediately: 1. The Director of the Office of Emergency Services and the Director of the Office of Homeland Security shall periodically, but no less than quarterly, convene a meeting with, among others, the Adjutant General of the California National Guard, the Secretary of Business, Transportation and Housing, the Secretary of Corrections and Rehabilitation, the Secretary of Education, the Secretary of Environmental Protection, the Director of Finance, the Secretary of Food and Agriculture, the Secretary of Health and Human Services, the Secretary of Labor and Workforce Development, the Secretary of Resources, the Secretary of State and Consumer Services, the Secretary of Veterans Affairs, the Director of Forestry and Fire Protection, the Commissioner of the California Highway Patrol, the Director of Water Resources, the State Public Health Officer, the Director of Health Services, the State Veterinarian, the Director of Fish and Game, the Director of Toxic Substances Control, the Chair of the Air Resources Board, and the Director of the Emergency Medical Services Authority. The Directors shall utilize these meetings to: (a) assess and provide necessary information to the Governor, Legislature, local agencies, and the public on pending emergency conditions that threaten the public health and safety, (b) develop a consolidated set of budget, legislative, and administrative actions, along with identification of additional federal resources required to improve state prevention and response capabilities to deal with pending threats to public health and safety, and (c) assist in the management of emergency preparedness, response, recovery and mitigation efforts. 2. An Emergency Partnership Advisory Workgroup (Workgroup) shall be convened by the Director of the Office of Emergency Services. The Workgroup shall assist the Director in securing agreements between affected state agencies and non-profit and private sector resources necessary to respond to threatened or actual emergency situations. The Workgroup members shall be selected by the Director of the Office of Emergency Services and be composed of at least seven non-profit and private sector representatives who are involved in preparing their communities for disasters. The Workgroup's duties shall include: (a) providing advice to the Director of the Office of Emergency Services on appropriate agreements to provide for quick access to emergency supplies and services in order to minimize the need to stockpile such supplies during normal times, (b) providing advice to the Director of the Office of Emergency Services on logistic measures needed to quickly deliver needed supplies and services to affected areas, (c) providing advice to the Director of the Office of Emergency Services on methods to utilize non-profit and private sector capabilities to increase the surge capacity of state and local agencies responding to emergencies, (d) promoting the integration of the non-profit and private sectors into the emergency services system so that people can be better informed and prepared for emergencies, and (e) encouraging systems that aid business and economic recovery after a disaster. 3. By June 1, 2006, the Director of the Office of Emergency Services shall promulgate model Continuity of Operations/Continuity of Government plans and guidelines to be provided to state and local agencies in order to assist them in ensuring the continuity of government and ensuring the provision of essential services to the public during and after a catastrophic event. 4. By September 30, 2006, all Executive Branch agencies shall update their Continuity of Operations/Continuity of Government plans consistent with the guidelines and submit them to the Cabinet Secretary and the Director of the Office of Emergency Services and include procedures for the testing and exercising of these plans. 5. All Executive Branch agencies, through the coordination of the Director of the Office of Emergency

Services, shall increase their efforts for the "Be Smart, Be Prepared, Be Responsible" public awareness campaign to ensure that all individuals, families and schools have the information they need to prepare themselves until government assistance can arrive during and subsequent to disasters. 6. The Secretary of Health and Human Services shall convene a working group of representatives from hospitals and health facilities throughout California to: (a) develop by June 1, 2006, a recommended program to ensure local health facility surge capacity plans achieve federal Health Resources and Services Administration surge capacity benchmarks, and (b) participate in conducting exercises and training to prepare for natural and man-made disasters. 7. The California Service Corps, in cooperation with the Health and Human Services Agency, the Office of Emergency Services, the Office of Homeland Security, and non-profit volunteer organizations, shall ensure the coordination of volunteer activities related to disaster response and recovery, including necessary training, equipment, and transportation provisions. IT IS FURTHER ORDERED that agencies under my direct executive authority shall cooperate in the implementation of this Order. Other entities of state government, including the University of California, California State University, California Community Colleges, constitutional officers, legislative and judicial branches, and the California Public Utilities Commission, are requested to assist in its implementation. This Order is not intended to, and does not create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its departments, agencies, or other entities, its officers or employees, or any other person.



IN WITNESS WHEREOF I have here unto set my hand and caused the Great Seal of the State of California to be affixed this the eighteenth day of April 2006. /s/ Arnold Schwarzenegger Governor of California